

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

IN RE: JENENE FAITH TAYLOR	)	
	)	CASE NO B-09-80568
DEBTOR	)	CHAPTER 13
	)	

OBJECTION OF CREDITOR TO DEBTOR'S EXEMPTIONS

Creditor Edith Politis hereby objects the Debtor's exemptions and the valuation of the Debtor's property. The Debtor's exemptions and valuations should not be allowed because: The Debtor has given false low values of her home and car in an attempt to exempt them entirely and the Debtor claims an exemption of \$4,000 for her automobile which she is not entitled to.

Background:

1. On August 29<sup>th</sup>, 2007 Creditor was granted an arbitration award against Debtor in the amount of \$40,085.51.
2. On July 18<sup>th</sup>, 2008 Creditor reduced that award to a judgment in Marin County Superior Court in California, for the amount of \$40,085.51, plus costs in the amount of \$425.00, plus interest.
3. On April 6<sup>th</sup>, 2009 Debtor filed Bankruptcy under Chapter 13 of Title 11 U.S.C.
4. Debtor is entitled to exemptions under California Code of Civil Procedure § 704.
5. Debtor filed an amended exemption form 91C on June 2, 2009.
6. In her Bankruptcy form 91C, Debtor has claimed a \$4,000.00 exemption for her car.

Objection to Valuation of Property:

7. The Debtor represents that the value of her home is \$211,406.00.
8. The Debtor fails to disclose to the court that her home was appraised in 2008 by the Durham County Tax Office and valued at \$298,531.00.
9. Tax stamps on the Debtor's deed to her home indicate that \$596 was paid in Tax Stamps upon her purchase of the home, indicating she paid about \$298,000 for the home in 2007.
10. The Debtor has valued her 2000 Mercedes-Benz 320 at \$4,000.
11. The Debtor fails to disclose that the NADA Book value of said vehicle is \$10,900.

Objection to Exemption:

12. Under California Code of Civil Procedure § 704.010, the debtor is allowed to take a maximum exemption for her automobile of \$1,900, not \$4,000 as the Debtor represents on her form 91C.

Wherefore, for all the reasons stated herein, the Creditor prays the Court:

1. Assign a value to the Debtor's home of \$298,531.00
2. Assign a value to the Debtor's vehicle of \$10,500.00

3. Limit the Debtor's exemption in her automobile to \$1,900.00
4. Any and other such relief that the court deems just and appropriate

This June 5, 2009

/s/William L. Yaeger

William L. Yaeger

NC Bar # 4873

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CERTIFICATE OF SERVICE

This is to certify that a copy of the forgoing Objection of Creditor to Debtor's Exemptions was duly served upon the following by depositing same enclosed in a post paid, properly addressed envelope in a Post Office or official depository under the exclusive care and custody of the United States Post Office.

Jenene Taylor  
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This June 5, 2009

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